# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

WEDNESDAY, JULY 20, 2005 1:00 p.m.

### MOTIONS AND RESOLUTIONS

## HB 4758 Rep. Kathleen Law

Environmental protection; landfills; solid waste; establish disposal charge.

— 1 ——

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs, 11532a & 11532b.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kathleen Law May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## HB 4759 Rep. Espinoza

Environmental protection; funding; earmarking of surcharge on solid waste entering landfills; provide for.

Amends secs. 11502, 11503, 11504, 11505 & 11506 of 1994 PA 451 (MCL 324.11502 et seq.); adds secs. 11532c, 11532d, 11532e, 11532f, 11532g & 11532h & repeals sec. 11532h of 1994 PA 451 (MCL 324.11532h).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Espinoza May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## **HB** 4760 Rep. Kehrl

Environmental protection; landfills; moratorium on landfill new construction and expansion; provide for.

Amends sec. 11511a of 1994 PA 451 (MCL 324.11511a) & repeals sec. 11511a of 1994 PA 451 (MCL 324.11511a) & enacting section 1 of 2004 PA 38.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kehrl May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## **HB** 4761 Rep. Miller

Environmental protection; landfills; list of jurisdictions authorized to export waste to Michigan; require updating of and removal of jurisdictions whose waste contains prohibited materials.

Amends sec. 11526b of 1994 PA 451 (MCL 324.11526b).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Miller May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

### MOTIONS AND RESOLUTIONS

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## **HB** 4762 Rep. McDowell

Environmental protection; solid waste; civil infractions for solid waste violations; establish.

Amends secs. 11546 & 11549 of 1994 PA 451 (MCL 324.11546 & 324.11549).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. McDowell May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

## **HB** 4476 Rep. Condino

Single business tax; rate; reduce rate; provide for, create research and development tax credit, revise sales factor apportionment, and provide for other amendments.

Amends 1975 PA 228 (MCl 208.1 - 208.145) by adding ch. 5A & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.

(Notice of intent to discharge from the Committee on Tax Policy given by Speaker DeRoche June 17, 2005.)

(Motion to discharge; passed for day June 21, 2005.)

## HB 4477 Rep. Meisner

Property tax; assessments; calculation of additions and losses; revise.

Amends sec. 34d of 1893 PA 206 (MCL 211.34d).

(Notice of intent to discharge from the Committee on Tax Policy given by Speaker DeRoche June 17, 2005.)

(Motion to discharge; passed for day June 21, 2005.)

### REPORTS OF STANDING COMMITTEES

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## HR 79 Rep. Anderson

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(For text of resolution, see House Journal No. 48, page 718 or Session Website; laid over 1 day June 8, 2005.)

### REPORTS OF STANDING COMMITTEES

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### **HCR** 15 Rep. Stahl

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(House substitute (H-1) offered; postponed temporarily June 14, 2005.)

(For proposed House substitute (H-1), see Session Website.)

(For text of proposed House substitute (H-1), see House Journal No. 54, page 854 or Session Website.)

(For text of resolution, see House Journal No. 46, page 700 or Session Website; laid over 1 day June 8, 2005.)

## MESSAGES FROM THE SENATE

— 10 ————

### **HB** 4702 Rep. Pavlov

Crimes; other; disseminating sexually explicit matter to minors; include video game in definition of sexually explicit matter.

Amends sec. 3 of 1978 PA 33 (MCL 722.673).

(Returned from Senate with amendment and immediate effect; laid over 1 day June 1, 2005.)

(I.E. House May 10, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendment, see House Journal No. 49, page 744 or Session Website.)

### HB 4703 Rep. Pearce

Trade; consumer goods and services; sign posted with video game rating system; require and require brochure to be available explaining rating system.

Amends title of 1931 PA 328 (MCL 750.1 - 750.568) & adds sec. 143a.

(Returned from Senate with amendments and immediate effect; laid over 1 day June 1, 2005.)

(I.E. House May 10, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendments, see House Journal No. 49, page 744 or Session Website.)

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## HB 4465 Rep. Steil

Natural resources; hunting; internet hunting; prohibit. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40111b.

(Enrollment vacated; motion to reconsider concurrence; passed for day July 13, 2005.)

(For House substitute (H-3), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

### MESSAGES FROM THE SENATE

<del>\_\_\_\_ 13 \_\_\_\_\_</del>

### **HB** 4541 Rep. Byrum

Liquor; other; motorsports entertainment complexes with 1,500 or more seats; allow patrons to bring in their own alcoholic beverages under certain circumstances.

Amends sec. 518 of 1998 PA 58 (MCL 436.1518).

(Enrollment vacated; motion to reconsider concurrence; passed for day July 13, 2005.)

(For House substitute (H-3), see Session Website.)

(For Senate amendments, see House Journal No. 62, page 997.)

### THIRD READING

14

## **HJR** C Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

(Reported by the Committee on Education.)

(Not adopted; notice of intent to reconsider vote given by Rep. Ward May 3, 2005.)

(Vote reconsidered; passed for day May 4, 2005.) (For House substitute (H-4), see Session Website.)

\_\_\_\_\_ 15 \_\_\_\_\_

#### HB **4636** Rep. Hildenbrand

Trade; consumer goods and services; sale of certain consumer items without item pricing; allow under certain conditions.

Amends secs. 1 & 3 of 1976 PA 449 (MCL 445.351 & 445.353) & adds secs. 3a & 3b.

(Reported by the Committee on Commerce.)

(For House substitute (H-2), see Session Website.)

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## SB 193 Sen. George

Courts; district court; election districts within the eighth judicial district; eliminate.

Amends sec. 8117 of 1961 PA 236 (MCL 600.8117).

(Reported by the Committee on Judiciary.)

(Read a third time; postponed temporarily June 30, 2005.)

### **SECOND READING**

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### **HB** 4582 Rep. Hopgood

School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for.

Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.

(Rule suspended; discharged from the Committee on Appropriations.)

### SECOND READING

\_\_\_\_ 18 \_\_\_\_\_

## **HB** 4374 Rep. Marleau

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

(Pursuant to Section 24.245a of the Michigan Compiled Laws, placed on calendar.)

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### **HB** 4204 Rep. Gosselin

Sales tax; collections; sales tax collection on gasoline; provide for cap.

Amends sec. 4a of 1933 PA 167 (MCL 205.54a).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-3), see Session Website.)

\_\_\_\_ 20 \_\_\_\_

## HB 4206 Rep. Stakoe

Construction; other; standards and administrative process regarding conflict of interest; provide for inspectors in buildings trades.

Amends sec. 10 of 1986 PA 54 (MCL 338.2310).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

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### HB 4207 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 39 of 2002 PA 733 (MCL 338.3549).

(Reported by the Committee on Local Government and Urban Policy.)

\_\_\_\_ 22 \_\_\_\_\_

#### HB 4208 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 7a of 1956 PA 217 (MCL 338.887a).

(Reported by the Committee on Local Government and Urban Policy.)

### 4209 Rep. Stakoe HB

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends 1984 PA 192 (MCL 338.971 - 338.988) by adding sec. 13a.

(Reported by the Committee on Local Government and Urban Policy.)

### HB **4257** Rep. Walker

Taxation; farmland and open space; agricultural security areas; provide for.

Amends heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.

(Reported by the Committee on Natural Resources, **Great Lakes, Land Use, and Environment.**)

(For proposed House substitute (H-1), see Session Website.)

### SECOND READING

\_\_\_\_ 25 \_\_\_\_\_

### **HB** 4235 Rep. Nitz

Transportation; other; requirement of 2% biodiesel to be included in fuel products; provide for.

Amends secs. 2, 3 & 5 of 1984 PA 44 (MCL 290.642 et seq.).

(Reported by the Committee on Agriculture.)

\_\_\_\_\_ 26 \_\_\_\_\_

## SB 301 Sen. Gilbert

State; identification cards; heart logo on personal identification cards; allow.

Amends secs. 1 & 2 of 1972 PA 222 (MCL 28.291 & 28.292).

(Reported by the Committee on Transportation.) (For Senate substitute (S-1), see Session Website.)

# HB 4274 Rep. Vander Veen

Insurance; third party administrators; disclosure of certain claims history to certain persons; provide for.

Amends sec. 34 of 1984 PA 218 (MCL 550.934) & adds

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 28 \_\_\_\_\_

## SB 72 Sen. Birkholz

Education; students; pledge of allegiance; require to be offered in public schools.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1304.

## (Reported by the Committee on Education.)

(Read a second time; House substitute (H-1) and amendment adopted; amendments offered; passed for day June 30, 2005.)

(For House substitute (H-1), see Session Website.)

(For House amendments, see House Journal No. 62, page 1133 or Session Website.)

\_\_\_\_ 29 \_\_\_\_\_

## **HB 4473** Rep. Ward

Housing; inspection; scope of application to include certain townships and timing of inspections to be modified; provide for.

Amends secs. 1 & 126 of 1917 PA 167 (MCL 125.401 & 125.526).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

\_\_\_\_ 30 \_\_\_\_

## **HB** 4740 Rep. Nitz

Transportation; other; roadside memorial program; pro-

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 76.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-3), see Session Website.)

### SECOND READING

— 31 ——

### HB 4576 Rep. Stakoe

Natural resources; inland lakes; dedicated public access sites; establish allowable uses.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 30111a.

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

\_\_\_\_ 32 \_\_\_\_\_

### HB 4522 Rep. Sheltrown

Weapons; licensing; requirement of firearm training before issuance of concealed weapon permit; exclude certain veterans

Amends sec. 5j of 1927 PA 372 (MCL 28.425j).

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

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## HB 4642 Rep. Jones

Weapons; other; licensed spouse to carry or transport another licensed spouse's inspected pistol; allow.

Amends sec. 12 of 1927 PA 372 (MCL 28.432).

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

(For proposed House substitute (H-1), see Session Website.)

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## **HB** 5002 Rep. Alma Smith

Health facilities; hospitals; quality assurance assessment; extend sunset and increase hospital appropriation.

Amends sec. 20161 of 1978 PA 368 (MCL 333.20161).

(Reported by the Committee on Appropriations.)

\_\_\_\_ 35 \_\_\_\_\_

## SB 438 Sen. Prusi

Appropriations; other; countercyclical budget and economic stabilization fund; make appropriations to general fund for fiscal year ending September 30, 2005.

Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

(Reported by the Committee on Appropriations.) (For Senate substitute (S-1), see Session Website.)

— 36 ——

# **HB 4959** Rep. Ward

Liquor; wine; direct shipment of wine for personal consumption in this state by a retailer; prohibit.

Amends secs. 113, 203 & 607 of 1998 PA 58 (MCL 436.1113 et seq.).

(Reported by the Committee on Regulatory Reform.)

\_\_\_\_ 37 \_\_\_\_\_

## **HB** 4947 Rep. Palmer

Retirement; public school employees; contribution for teachers; define.

Amends secs. 4, 8, 25, 26, 34 & 91 of 1980 PA 300 (MCL 38.1304 et seq.) & adds secs. 41b, 109, 110, 111 & 112 & art. 7.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

### SECOND READING

### **HB** 4753 Rep. Meisner

Crimes; other; penalties for window peeping; revise.
Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding

(Reported by the Committee on Judiciary.)

(For proposed House amendment, see House Journal No. 61, page 1119 or Session Website.)

\_\_\_\_ 39 \_\_\_\_

## **HB** 4514 Rep. Condino

Labor; hours and wages; employees who rely on tips; index wage to rate of inflation.

Amends 1964 PA 154 (MCL 408.381 - 408.398) by adding sec. 7b.

(Discharged from the Committee on Employment Relations, Training and Safety.)

## **HB** 4515 Rep. Meisner

Labor; hours and wages; enforcement of minimum wage; prohibit retaliation for filing claim.

Amends sec. 15 of 1964 PA 154 (MCL 408.395).

(Discharged from the Committee on Employment Relations, Training and Safety.)

# **HB** 4517 Rep. Miller

Labor; hours and wages; minimum wage; increase and index to rate of inflation.

Amends sec. 4 of 1964 PA 154 (MCL 408.384).

(Discharged from the Committee on Employment Relations, Training and Safety.)

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## **HB** 4518 Rep. Gonzales

Labor; hours and wages; minimum wage; increase.

Amends sec. 4 of 1964 PA 154 (MCL 408.384).

(Discharged from the Committee on Employment Relations, Training and Safety.)

# **HB** 4519 Rep. Gleason

Labor; hours and wages; enforcement of minimum wage; increase fine for violations.

Amends sec. 13 of 1964 PA 154 (MCL 408.393).

(Discharged from the Committee on Employment Relations, Training and Safety.)

## HB 4804 Rep. Cheeks

Sales tax; collections; tax levy on sale of prepared food and beverage consumed on premises; provide for in a city with a population over 750,000.

Creates new act.

(Discharged from the Committee on Tax Policy.)

\_\_\_\_\_ 45 \_\_\_\_\_

## HB 4808 Rep. Lemmons, III

Income tax; city; nonresident tax for cities with population of 750,000 or more; allow to increase.

Amends sec. 3, ch. 1 of 1964 PA 284 (MCL 141.503) & adds sec. 3e to ch. 1.

(Discharged from the Committee on Tax Policy.)

## SECOND READING SB 252 Sen. Basham Townships; other; street address of properties that are up for rezoning; require to be published on public notices. Amends sec. 14 of 1943 PA 184 (MCL 125.284). (Reported by the Committee on Local Government and Urban Policy.) (For Senate substitute (S-1), see Session Website.) SB 253 Sen. Basham Counties; other; street address of properties that are up for rezoning; require to be published on public notices. Amends sec. 9 of 1943 PA 183 (MCL 125.209). (Reported by the Committee on Local Government and Urban Policy.) (For Senate substitute (S-1), see Session Website.) 254 Sen. Basham SB Cities; other; street address of properties that are up for rezoning; require to be published on public notices. Amends sec. 4 of 1921 PA 207 (MCL 125.584). (Reported by the Committee on Local Government and Urban Policy.) (For Senate substitute (S-1), see Session Website.) — 49 ——— 5005 Rep. Huizenga HB State; funds; the 21st century jobs fund authority; create. Creates new act. (Reported by the Committee on Commerce.) (For proposed House substitute (H-1), see Session Website.) \_\_\_\_ 50 \_\_\_\_\_ HB 4516 Rep. Cheeks Labor; hours and wages; minimum wage; increase for waitstaff. Amends sec. 7a of 1964 PA 154 (MCL 408.387a). (Discharged from the Committee on Employment **Relations, Training and Safety.**) — 51 — HB 4922 Rep. Sheen Single business tax; credit; apprenticeship tax credit; increase, and increase amount of gross sales allowable for alternative calculation. Amends secs. 38e & 68 of 1975 PA 228 (MCL 208.38e

## **HB** 4972 Rep. Steil

Website.)

Single business tax; credit; personal property tax credit; provide for research and development companies.

(For proposed House substitute (H-1), see Session

\_\_\_\_ 52 \_\_\_\_\_

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding

(Reported by the Committee on Tax Policy.)

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

### SECOND READING

**HB** 4973 Rep. Baxter

> Single business tax; apportionment; sales factor apportionment; revise.

Amends sec. 45a of 1975 PA 228 (MCL 208.45a).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 54 \_\_\_\_\_

HB 4997 Rep. Hunter

Financial institutions; savings banks; duplicate suspicious activity report filing; eliminate.

Repeals sec. 514 of 1996 PA 354 (MCL 487.3514).

(Reported by the Committee on Banking and **Financial Services.**) 

HB **4998** Rep. Clemente

Financial institutions; savings and loan associations; duplicate suspicious activity report filing; eliminate.

Repeals sec. 1135 of 1980 PA 307 (MCL 491.1135).

(Reported by the Committee on Banking and **Financial Services.**)

— 56 ———

**HB 4999** Rep. Hune

Financial institutions; credit unions; duplicate suspicious activity report filing; eliminate.

Repeals sec. 307 of 2003 PA 215 (MCL 490.307).

(Reported by the Committee on Banking and **Financial Services.**)

HB 5000 Rep. Green

Financial institutions; banks; duplicate suspicious activity report filing; eliminate.

Repeals sec. 4406 of 1999 PA 276 (MCL 487.14406).

(Reported by the Committee on Banking and **Financial Services.**)

\_\_\_\_ 58 \_\_\_\_\_

540 Sen. Sanborn SB

Financial institutions; mortgage brokers; leased employees performing services as agent of mortgage broker, lender, or servicer; exempt from licensing requirement.

Amends sec. 2 of 1987 PA 173 (MCL 445.1652).

(Reported by the Committee on Banking and Financial Services.)

(For Senate amendment, see Senate Journal No. 63, page 1035.)

\_\_\_\_\_ 59 \_\_\_\_\_

SB 83 Sen. Cassis

Education; special; membership on special education advisory board; revise.

Amends sec. 9a of 1964 PA 287 (MCL 388.1009a). (Reported by the Committee on Education.)

5004 Rep. LaJoy HB

Counties; charter; distribution of renewed park millage revenue; clarify.

<del>\_\_\_\_</del> 60 <del>\_\_\_\_\_</del>

Amends 1965 PA 261 (MCL 46.351 - 46.367) by adding sec. 5a.

(Reported by the Committee on Local Government and Urban Policy.)

### SECOND READING

— 61 —

### HB 4742 Rep. Hune

Insurance; no-fault; managed care option for personal injury protection (PIP) coverage; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding ch. 21A.

(Reported by the Committee on Insurance.)

(For proposed House substitute (H-2), see Session Website.)

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## **HB** 4904 Rep. Hildenbrand

Insurance; no-fault; coordinated coverage for personal protection insurance benefits; provide for general amendments.

Amends sec. 3109a of 1956 PA 218 (MCL 500.3109a).

(Reported by the Committee on Insurance.)

(For proposed House substitute (H-1), see Session Website.)

— 63 —

### **HB** 5047 Rep. Huizenga

Economic development; other; jobs for Michigan fund; create and fund the commercialization of competitive edge technologies.

Amends title & secs. 3, 4 & 13 of 1984 PA 270 (MCL 125.2003 et seq.) & adds secs. 94 & 95 & ch. 8A.

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

### SECOND READING

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### HB 5048 Rep. Huizenga

State; funds; securitization of tobacco funds; provide for. Creates new act.

(Reported by the Committee on Commerce.)

(For proposed House substitute (H-1), see Session Website.)

HB 4046 Rep. Lemmons, Jr.

Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384).

(Discharged from the Committee on Employment Relations, Training and Safety.)

### STANDING COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)

### STATUTORY COMMITTEE MEETING

**Michigan Capitol Committee -** Wednesday, July 27, 2:00 p.m., Room 426, Capitol Building